UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,207	06/28/2001	Travis J. Muhlestein	MS1-692US	7580

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EXAMINER
TRUONG, LECHI

ART UNIT	PAPER NUMBER
2194	

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

✗\

	Application No.	Applicant(s)
Office Action Summary	09/896,207	MUHLESTEIN ET AL.
	Examiner	Art Unit
	LeChi Truong	2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 February 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-37</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-37</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1. Claims 1-37 are presented for the examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims **1-26, 33, 37** are rejected under 35 U.S.C. 103(a) as being unpatentable over Glass

(US. Patent 6,629,128 B1) in view of Memmontt et al (US. 6,560,591 B1).

4.   As to claim 1, Glass teaches the invention substantially as claimed including: the

command line utility (interface generator 250 is a command line predevelopment utility, col 19,

ln 10-14/ Fig. 3/ 10/11/ proxy object 154, col 14, ln 24-30/ the interface generator 250 is used

during the previously described dynamic generation of remote proxies, col 19, ln 44-46), an

object mode command (type object 170, col 14, ln 26-32/client side type generator, col 17, ln 54-

58/ col 18, ln 47-53), one or more commands(a set of function objects, col 14, ln 26-32/

function objects 210, col 18, ln 47-53), an object mode target (the method of server object 110,

col 17, ln 54-58, col 18, ln 47-53), an object mode command schema to define correspondence

between one ore more commands (col 17, ln 50-58/ col 18, ln 47-55), the one or more

commands generated by the command schema and configured to operate against the target

schema through the command line utility(col 13, ln 62-67/ col 14, ln 24-32 and ln 38-40/ col 17,

ln 50-58/ col 18, ln 47-55).

5.   Glass does not explicit teaches the term "schema". However, Memmott teaches schema

(the CIM distributed management scheme, col 7, ln 39-40).

6.   It would have been obvious to one of the ordinary skill in the art at the time the invention

was made to combine the teaching of Glass and Memmott because Memmott's scheme would

improve the flexibility of Glass's system by allowing several distributed management schemas

attempt to over-come vendor and platform differences by providing a standard framework for

communication of management data.

7.   **As to claim 2,** Memmontt teaches an alias class (class 1, col 5, ln 18-30/ col 4, ln 40-60),

a command template (list, col 5, ln 18-30), a single command (sub-class, col 5, ln 18-30).

8.   **As to claim 3,** Memmontt teaches a verb class/ a format class/a connection class as a

subclass (subclass, col 5, ln 17-30/ the next node in the decision tree, col 4, ln 40-60), each

instance of the verb class/ format class/ connection class (a storage device or a display devices,

col 4, ln 36-60), a list of properties (list B /C, col 6, ln 18-30/ col 5, ln 46-60/ col 8, ln 1-15), a

connection to a target namespace (the namespace of the data provider, col 5, ln 46-60).

9.   **As to claim 4,** Memmontt teaches a parameter class as subclass (sub-sub class, col 5, ln

18-30), each instance of the parameter class resenting parameters (internal to the system or

external, col 4, ln 36-60).

10.   **As to claim 5,** Memmontt teaches a property class as a subclass to the format class (sub-

sub class, col 5, ln 18-30), each instance of the property class representing property value

(temperature, hard disk drive status, col 4, ln 55-60), a list of properties (list corresponding to

queries, col 4, ln 55-60).

11.   **As to claims 6, 7,** Memmontt teaches a localized string class/ a qualifiers class (class 1,

class 2, col 5, ln 18-30), each instance (a hardware device or software application, col 4, ln 36-

60), language specific text/ qualifiers (CPU speed/ capacity... col 4, ln 40-60/ version, col 7, ln

50-67).

12.   **As to claim 8,** Memmontt teaches a see-also association (a list, col 4, ln 55-60/ col 5, ln

18-30), each instance (CPU speed and or temperature... col 4, ln 40-60), an alias (class 1/ class

2, col 5, ln 18-30).

13.   **As to claim 9,** Memmontt teaches role-oriented (class, subclass, col 5, ln 18-30),

namespace (namespace, col 5, ln 48-60/ col 6, ln 45-55), command related to particular

administrative tasks are found together (all queries relating to a particular hardware or software

component or all queries within the same class or subclass, col 7, ln 50-67), other parts thought

the decision tree may lead to lists corresponding to queries relating to other hardware

components (CPU speed and or / temperature, hard disk status and / or capacity, et al ., col 4, ln

55-60).

14.   **As to claims 10, 11,** Memmontt teaches the generation of additional commands to added/

permits reconfiguration of the one or more commands (upgrade components and/ or components

added later, col 5, ln 18-30).

15.   **As to claim 12,** it is an apparatus claim of claims 2-8; therefore, it is rejected for the same

reasons as claims 2-8.

16.   **As to claim 13,** Memmontt teaches target scheme (data requestor, col 3, ln 16-41), a

WMI object mode (WMI, col 3, ln 16-41).

17.   **As to claim 14,** Memmontt teaches a plurality of command schemas (class 1/ class 2, col

5, ln 18-30), an instant of one or more commands (subclass, col 5, ln 18-30).

18.   **As to claim 15,** Memmontt teaches a local machine/ remote machines (different machine

and communication, col 3, ln 12-25).

19.   **As to claim 16,** it is an apparatus claim of claim 12; therefore, it is rejected for the same

reason as claim 12 above.

20.   **As to claim 17,** it is an apparatus claim of claim1; therefore, it is rejected for the same

reason as claim 1 above. In additional, Memmontt teaches an interface utility (interface module

140, col 8, ln 63-67 to col 9, ln 1-19/ the data resolver 120/ data provider 130, col 3, ln 42-62/

selection task P120 as a decision tree, col 4, ln 21-60/col 5, ln 18-30).

21.   **As to claim 18,** Memmontt teaches a command line utility (interface module 140, col 8,

ln 63-67 to col 9, ln 1-19/ the data resolver 120/ data provider 130, col 3, ln 42-62/ selection task

P120 as a decision tree, col 4, ln 21-60/ col 5, ln 18-30).

22.   **As to claim 19,** Memmontt teaches a graphic user interface (in another application of

data resolver 120, the query maybe received from a data requestor who is a human user, col 4, ln

5-9).

23.   **As to claims 20-25,** they are apparatus claims of claims 1, 9-12; therefore, they are

rejected for the same reasons as claims 1, 9-12.

24.   **As to claim 26,** Memmontt teaches second object model (data requestor 110, col 3, ln 26-

40), a WMI object model (WMI, col 3, ln 26-40).

25.   **As to claim 33**, it is an apparatus claim of claim 1; therefore, it is rejected for the same

reason as claim 1 above. In additional, Memmontt teaches a user interface (a human user, col 4,

ln 5-9), parameter (the query, col 4, ln 5- 9), an alias class (class 1/ class 2, col 5, ln 20-30).

26.   **As to claim 37**, it is an apparatus claim of claim 33; therefore, it is rejected for the same

reason as claim 33 above.

27.   Claims **27-32** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Memmontt et al (US. 6,560,591 B1) in view of Glass (US. Patent 6,629,128 B1) and further in

view of Steve (Network and System Management with XML).

28.   **As to claim 27,** Memmontt teach a command (the query, col 3, ln 26-48), interface (the

data resolver 120/ data provider 130, col 3, ln 42-62/ selection task P120 as a decision tree, col 4,

ln 21-60/col 5, ln 18-30/ interface module 140, col 8, ln 63-67 to col 9, ln 1-19), an alias (class 1/

class 2, col 5, ln 18-30/ decision tree, col 4, ln 22-60), interpreting (error handing/ time out

occurs, col 6, ln 25 –58/ Fig. 8), based on the alias (determine whether further list entries, col 6,

ln 25-42), the current operating environment of the command line interface(response has been

received from the data provider, col 6, ln 42-58), receiving a command through a command line

interface(the query may be received from a data resolver 120, col 4, ln 6-9/ Fig. 1), fetching an

alias for the command(a list corresponding to the query characteristic is selected , col 4, ln 9-15/

a query characteristic that indicates class 2, sub-class b and sub-sub-class ii associated with

exception list C, col 5, ln 24-27), interpreting the command based on the alias(data providers

130 are visited in a sequence according to the order of the entries in the selected list until data

responsive to the query is obtained. If the list is exhausted before such data is obtained, data

collection task P125 fails and error is indicated in error handing task, col 4, ln 14-20/ Fig.

4executing(mapping, col 5, ln 47-60), a target namespace (the namespace of provider, col 5, ln

47-60), executing one ore more commands as one or more WMI API calls (col 9, ln 10-15),

XML form (extensible markup language (XML), col 3, ln 27-40), receiving WMI data in XML

(col 3, ln 27-45) presenting the WMI data through the command line interface(data provider

may be a object manager or database that collects management information and services queries

according to particular distributed management schema. Data resolver 120 receives data response

to the request from data provider 130 and a response based at least in part upon the data is then

returned by data resolver to data requestor, col 3, ln 55-62).

29.   Memmott does not explicit teach a command line interface. However, Glass the teaches

command line interface (a command line predevelopment utility, col 19, ln 10-15).

30.   It would have been obvious to one of the ordinary skill in the art at the time the invention

was made to combine the teaching of Memmott and Glass because Glass's command line

interface would be able to add interfaces to class files within the existing software. Thus, the

adding interfaces allow classes to be used remotely in the distributed computing system.

31.   Memmott and Glass do not teach an XSL style sheet. However, Steve teaches command

line (a command line interface, page 5 of 8, ln -8), an XSL style sheet (XSL, page 4of 8, ln 38-45

to page 5 of 8, ln 1-8).

32.   It would have been obvious to one of the ordinary skill in the art at the time the invention

was made to combine the teaching of Memmott, Glass and Steve because Steve's XSL would

improve the efficiency of Memmott and Glass's systems by displaying a style sheet which will

allow user to view a body of data expressed in XML format.

33.   **As to claim 28**, Memmott teaches an instance of an alias class (CPU speed an / or

temperature, col 4, ln 50-60).

34.   **As to claim 29**, Memmott teaches command entries (list entries, col 6, ln 45-55).

35.   **As to claim 30**, Memmott teaches a primary class (class 1, class 2, col 3, ln 20-30).

36.   **As to claims 31, 32**, they are apparatus of claims of claims 12, 27; therefore, they are

rejected for the same reasons as claims 12, 27 above.

37.   Claims **34-36** are rejected under 35 U.S.C. 103(a) as being unpatentable over Glass (US.

Patent 6,629,128 B1) in view of Memmontt et al (US. 6,560,591 B1) and further in view of Steve

(Network and System Management with XML).

38.   **As to claim 34**, Memmott teaches data (the query characteristic, col 6, ln 45-58), user

interface (human user, col 4, ln 5-9), target object (the distributed management schemes for the

query / a similar scheme such as Windows Management Interface, col 3, ln 28-40/ a particular

distributed management scheme, col 3, ln 54-61), XML (XML, col 3, ln 29-40), the alias (class

1/ class 2, col 5, ln 20-30).

39.   Glass and Memmott do not teach an XSL style sheet, formatting the data, displaying

data. However, Steve teaches an XSL style sheet (XSL, page 4of 8, ln 38-45 to page 5 of 8, ln 1-

8), formatting the data, displaying data (the XML document can also be format and displayed

with Cascading Style Sheets (CSS) ... XSL which take better qualities of CSS, page 4 of 8, ln

38-45).

40.   It would have been obvious to one of the ordinary skill in the art at the time the invention

was made to combine the teaching of Glass, Memmott, and Steve because Steve's XSL, the

XML document can be formatted and displayed with Cascading Style Sheets (CSS)... XSL

would improve the flexibility of Glass and Memmott's system by allowing the user to view the

data easily.

41.   **As to claim 35,** Steve teaches command line user interface (a command line user

interface, page 5 of 8, ln 1-8).

42.   **As to claim 36,** Steve teaches graphic user interface (GUI, page 5 of 89, ln 1-8).

Response to the argument:

29.   Applicant amendment filed on 02/ 25/ 25 has been considered but they are not
persuasive:

Applicant argued in substance that :

(1) " the client side type generator of Glass is not a schema in any respect. A command

schema includes a collection of classes ".

(2) " An object model target schema represents and enterprise throught target objects in

an object-oriented model that follows the industry standard CIM schema. The CIM Schema

provides a way to express management information that relies on inheritance and other object-

oriented for the reuse and standardization of object class representing system devices. Schemas

make significant use inheritance to allow applications to treat groups of similar object in the

same way".

(3) " Glass teaches "one or more commands generated by the command schema and

configured to operate against the target schema through the comand line utiliy". Howewver,

there simply is no such teaching found here or anywher else in Glass".

(4) " Glass does not teach " a correspondece as mapping" " object model comand schema

to define a mapping" and the " mapping between one or more comamands and object model

target object".

(5) " as generraly recited in claim 27. Memmott does not teach or sussept such

emements"

30.   Examiner respectfully disagreed with Applicant's remarks:

As to the point (1), Glass teaches type object 170 represents the class of server object

110. The object type 170 includes a set of function objects 172, col 14, ln 26-32/client side type

generator, col 17, ln 54-58/ col 18, ln 47-53).

As to the point (2), " An object model target schema represents and enterprise throught

target objects in an object-oriented model that follows the industry standard CIM schema. The

CIM Schema provides a way to express management information that relies on inheritance and

other object-oriented for the reuse and standardization of object class representing system

devices. Schemas make significant use inheritance to allow applications to treat groups of similar

object in the same way" was not in the claim.

As to the point (3), Glass teaches when applicant 108 request access to server object 110,

Remote proxy 105 is loaded onto the client system . The the object 107 represents the class of

server object 110. The type object 170 defines the methods on server object 110 to which remote

proxy 154 has access. The type of object 170 includes a set of function objects 172 corresponds

in number to a set of methods 190 accossated with server object 110. Set of function objects 172

representes the methods in set of methods 190 that client application 108 may invoke (col 13, ln

62-67/ col 14, ln 24-32 and ln 38-40/ col 17, ln 50-58/ col 18, ln 47-55).

As to the point (4), Glass teaches set of function objects 172 corresponds in number to set

methods 190 associated with server objects 172. There are one-function objects 172 for each

method in set of methods 190(col 14, ln 30-35).

As to the point (5), Memmott teaches receiving a command through a command lin

interface (the query may be received from a data revolver 120, col 4, ln 6-9/ Fig. 1), fetching an

alias for the command (a list corresponding to the query characteristic is selected, col 4, ln 9-15/

a query characteristic that indicates class 2, sub-class b and sub-sub-class ii associated with

exception list C, col 5, ln 24-27), interpreting the command based on the alias (data providers

130 are visited in a sequence according to the order of the entries in the selected list until data

responsive to the query is obtained. If the list is exausted before such data is obtained, data

collection task P125 fails and error is indicated in error handing task, col 4, ln 14-20/ Fig.

4executing(mapping, col 5, ln 47-60), a target namespace (the namespace of provider, col 5, ln

47-60), executing one ore more commands as one or more WMI API calls (col 9, ln 10-15),

XML form (extensible markup language (XML), col 3, ln 27-40), receiving WMI data in XML

(col 3, ln 27-45) presenting the WMI data through the command line interface(data provider

may be a object manager or database that collects management information and services queries

according to particular distributed management schema. Data revolver 120 receives data

response to the request from data provider 130 and a response based at least in part upon the data

is then returned by data revolver to data requestor, col 3, ln 55-62).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to LeChi Truong whose telephone number is (571) 272 3767. The

examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR of Public PAIP. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIP

system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

April 27, 2005

SUE LAO
PRIMARY EXAMINER